

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Municipal Administration & Urban Development Department – Town and Country Planning – Payment of compensation – Motor Accidents claims – Sanction of an amount Rs.98,933/- - Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (B2) DEPARTMENT

G.O.Ms.No. 158

Dated: 07-04-2010

Read the following:-

1. G.O. Ms. No. 289 MA dated 12-5-2000.
2. Orders of A.P. H.C. in C.M.A. No. 1865/2000 dated :12-9-2006.
3. From the DTCP, Hyderabad Lr. Roc. No. 7698/07/F1, dated 7-9-2007 & 29-6-2009.
4. Govt. Memo.No.14768/B2/2007-2, Dated:7-8-2009.
5. From the DTCP, Lr.Roc.No.7698/07/F1, dated 19-10-2009.

ORDER:-

In the reference 3rd read above, the Director of Town & Country Planning, A.P., Hyderabad has stated that a Motor Accident case was filed by Smt. A.H. Ramalakshmama against the Driver Sri K. Gopalakrishna, O/o. Regional Deputy Director of Town Planning, Anantapur in IV Additional District Judge-cum-Motor Accident Claims Tribunal, Kurnool filed in MVOP No. 213 of 1996 dated 20-1-1998 for payment of compensation. He has further stated that in the reference 2nd read above, the Government have sanctioned an amount of Rs.77,000/- (Rupees Seventy Seven Thousand Only) towards the compensation for the accident caused on 16-3-96 by Sri K. Gopala Krishna, Driver, O/o. the Regional Deputy Director of Town Planning, Anantapur and as per the judgment the said amount was deposited in IV Addl. District Judge-cum-Motor Accidents Claim Tribunal, Kurnool vide D.D. bearing No. 892895 dated 22-6-2000 of State Bank of Hyderabad issued in favour of the District Judge, Kurnool and the RDDTP, Anantapur.

2. The Director of Town & Country Planning, A.P., Hyderabad has also stated that the petitioner filed an appeal in Hon'ble High Court of A.P., under section 173 of Motor Vehicles Act, 1988, against the order/decreed in MVOP No. 213 of 1996 dated 20-1-1998 on the file of the court of the Motor accidents claims Tribunal cum IV Additional District Judge, Kurnool vide Civil Miscellaneous Appeal (CMA) No. 1865 of 2000.

3. In the reference 2nd read above, the Hon'ble High Court of A.P. delivered the following judgement :

“In the instant case, it is on record that the mother of the deceased was aged about 32 years and the deceased was a boy of 10 years and she was working as labours. In such a case, I am of the considered view that the income of the deceased can safely be assessed at Rs. 7000/- per annum. The appropriate multiplier applicable to the age of the mother of the deceased would be ‘15’. Thus, the future loss of earnings of the deceased boy can safely be determined at Rs.1,05,000/-. Therefore, the claimant is entitled to a total sum of Rs.1,05,000/- towards compensation.

::2::

In the result, the Civil Miscellaneous Appeal is partly allowed enhancing the compensation from Rs.52,000/- to Rs.1,05,000/-. The enhanced amount of Rs.53,000/-, now granted by this Court, shall carry interest at the rate of 6.5% per annum from the date of filing of O.P. before the Tribunal, till the date of realization. No order as to costs.”

4. Therefore, in the reference 3rd read above, the Director of Town & Country Planning, A.P., Hyderabad has requested the Government to release an amount of Rs.98,933/- i.e., enhanced amount by the High Court of A.P., Rs.53,000/-, interest on Rs.53,000/- @ 6.5% from 23-4-1996 to 23-8-2009 Rs. 45,933/- to avoid legal complications.

5. Government after careful examination of the matter hereby accord sanction for an amount of Rs.98,933/- (Rupees Ninety Eight Thousand Nine Hundred And Thirty Three Only) and the amount shall be debited to the amount from the following head of account:

2217	Urban Development
05	Other Urban Development Schemes
001	Direction and Administration
SH (05)	Regional Planning for fast Dev. Urban Complexes
500	Other charges
501	Compensation (Charged)

6. The above sanctioned expenditure shall initially be met by way of as an advance from Contingency Fund, orders regarding which will be issued by Finance (BG.I) Department separately.

7. The Director of Town & Country Planning, A.P., Hyderabad shall submit necessary supplementary proposal to obtain supplementary grant to recoup the above sanctioned amount to Contingency Fund during the current Financial Year.

8. This orders issues with the concurrence of Finance Department Vide their U.O.No. 2371/36/A1/Expr(M&F)/10, Dated: 29-3-2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

T.S.APPA RAO,
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Accountant General (A&E) AP, Hyderabad.
The Director of Town & Country Planning, A.P., Hyderabad
The Finance (Expr. M&F) Department
The Finance (BG) Department
The Director of Treasuries & Accounts , A.P., Hyderabad.
The Pay and Accounts Officer, Hyderabad.
The District Treasury Officer, Ananthapur.
The District Treasury Officer, Kurnool.
Sf/Sc.

//FORWARDED BY ORDER//

SECTION OFFICER